

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

**INLAND ENVIRONMENTAL AND
REMEDATION, INC.**

Debtor

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**Case No. 16-34624
(Chapter 11)**

**CATERPILLAR FINANCIAL SERVICES CORPORATION'S MOTION FOR RELIEF
FROM THE STAY REGARDING NON-EXEMPT PROPERTY**

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN MARCH 21, 2017 AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON MARCH 28, 2017 AT 9:30 A.M. IN THE COURTROOM 600, 515 RUSK STREET, COURTROOM 600, 6TH FLOOR, HOUSTON, TEXAS.

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: **CATERPILLAR FINANCIAL SERVICES CORPORATION**
3. Movant, directly or as agent for the holder, holds a security interest in one (1) **Caterpillar D7ELGP Track Type Tractor, Serial No. SCG00141** and one (1) **Caterpillar 420E Backhoe Loader, Serial No. DLJ02962** ("Collateral"). See true and correct copies of the Installment Sale Contracts, Assignments, and UCC-1s attached hereto as Exhibits "A-1" through "B-3."
4. Movant is in possession of the Collateral. This Motion is being filed to respectfully request that the automatic stay be lifted with respect to the Collateral to permit CAT Financial to take any and all necessary steps to secure and foreclose its security interest in the Collateral.
5. Movant has reviewed the schedules filed in this case. The property described in paragraph 3 is not listed, but the Debtor instead lists CAT Financial's claim as a nonpriority unsecured claim with an "unknown" amount.
6. Type of collateral: D7 Tractor and 420E Backhoe.
7. Debtor's scheduled value of property: "Unknown".
8. Movant's estimated value of property: \$297,700.00.
9. Total amount owed to movant: \$346,999.68.
10. Estimated equity (paragraph 7 minus paragraph 8): \$0.00.
11. Total pre and post-petition arrearages: \$222,239.87.
12. Total post-petition arrearages: \$51,586.18.
13. Amount of unpaid, past due property taxes, if applicable: N/A.

14. Expiration date on insurance policy, if applicable: N/A.

15. Movant seeks relief based on the Debtor's failure to make payments. Debtor's payment history is attached as Exhibits "C" and "D," respectively. Movant represents that the attached payment history is a current payment history reflecting all payments, advances, charges and credits from the beginning of the loan. Movant further represents that the payment history is self explanatory or can be interpreted by application of coding information that is also attached. Movant acknowledges that the Court may prohibit the use of parol evidence to interpret a payment history that does not satisfy these representations.

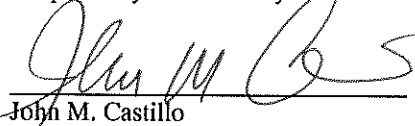
16. If applicable: Name of Co-Debtor: N/A.

17. Based on the foregoing, movant seeks termination of the automatic stay to allow movant to foreclose or repossess the Collateral.

18. Movant certifies that prior to filing this motion attempts were made to confer with the Debtor's counsel, Richard L. Fuqua, II by e-mail on February 2, 2017, at 10:43 a.m. and by telephone on February 3, 2017, by Stephanie M. Gonzalez. An agreement could not be reached. If requested by debtor or debtor's counsel, a payment history in the form attached to this motion was provided at least two days, excluding intermediate weekends and holidays, before this motion was filed.

Date: February 16, 2017

Respectfully submitted by:



John M. Castillo

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S.D. Tex. Bar No.: 23487

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**COUNSEL FOR MOVANT, CATERPILLAR
FINANCIAL SERVICES CORPORATION**

Certificate of Service and Certificate of Compliance with BLR 4001

This is to certify that on the 16th day of February, 2017, a true and correct copy of the above and foregoing document was forwarded by certified mail, return receipt requested, postage prepaid to the following:

Inland Environmental and Remediation, Inc.
1022 Schultz Road
Columbus, Texas 78934
Debtor

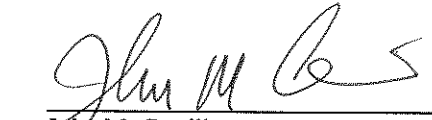
Richard L. Fuqua, II
5005 Riverway
Suite 250
Houston, Texas 77056
Debtor's Attorney

Bennett G. Fisher
55 Waugh Drive, Suite 603
Houston, Texas 77007
Official Committee of Unsecured Creditor's Attorney

U.S. Trustee's Office
1100 Commerce Street, Room 976
Dallas, Texas 75242

Christine A. March
Office of the U.S. Trustee
515 Rusk St., Suite 3516
Houston, Texas 77002
U.S. Trustee

And via prepaid United States First Class Mail to the persons shown on Schedule 1.



John M. Castillo
Movant's Counsel